



## WATERVILLE PLANNING BOARD MINUTES

DATE OF MEETING: September 27, 2022

VENUE: The Elm, 21 College Avenue, and via Webinar

MEMBERS PRESENT: Chair Samantha Burdick, April Chiriboga, Tom DePre, David Johnson, Hilary Koch, and Bruce White

STAFF PRESENT: Ann Beverage, City Planner

### MINUTES:

Tom DePre made a motion to approve the minutes of the September 13, 2022, meeting. April Chiriboga seconded. Vote 4-0 in favor. Hilary Koch and Bruce White abstained.

ITEM 1: L/A Properties, LLC is requesting Preliminary and Final Plan Review for a 5-lot subdivision at 200 Eight Rod Road. This review is in accordance with Articles 8 and 9 of the Subdivision Ordinance.

Engineer Randy Butler of Dirigo Engineering told the Board that the plan now includes a cistern with dry hydrant. Rick Breton will request that the Board revise the requirement to drill wells on any lot he does not develop himself.

### ACTION:

Samantha Burdick made a motion to approve the project with the following conditions:

#### FIRE AND WATER:

- The developer shall provide adequate water supply to meet domestic demands and fire protection needs.
- The developer shall provide a 20,000-gallon fire pond or cistern for fire protection needs.
- The developer shall provide adequate fire lane access to the fire pond or cistern. Per NFPA 1 18.2.3.5.1, the access lane shall be no less than 20 ft wide, with an unobstructed vertical clearance of no less than 13 ft 6 in.
- If there are to be any gates that will be locked, a Knox Box shall be installed at the gate at a position acceptable to the Fire Chief to allow for afterhours emergency access.

#### CURB CUT PERMITS:

- Each driveway requires a curb cut permit from the Public Works Department.

Bruce White seconded. Vote: 6-0 in favor.

For more information about the project, please see the minutes of the July 12, July 26, and September 13, 2022, Planning Board meetings.

ITEM 2: L/A Properties, LLC is requesting Preliminary and Final Plan Review for a 6-lot subdivision on Assessor Parcel 16-101 on Webb Road. This review is in accordance with Articles 8 and 9 of the Subdivision Ordinance.

**ACTION:**

Samantha Burdick made a motion to postpone this review until the October 25<sup>th</sup> Planning Board meeting at the request of Engineer Randy Butler. David Johnson seconded. Vote: 6-0 in favor.

ITEM 3: DISCUSSION ONLY: Rezoning both sides of the portion of Main Street between High Street and Hillside Avenue to a new zone that would allow both commercial and residential uses. David Johnson made a motion to table this item until the Housing Committee provides a recommendation. April Chiriboga seconded. Vote: 6-0 in favor.

ITEM 4: DISCUSSION ONLY: Draft Vacant Buildings Ordinance currently before the City Council.

The Board discussed the draft vacant building ordinance at the direction of the City Council. The City Council already has voted once in favor of the ordinance and is scheduled to take a second reading at the October 4<sup>th</sup> Council meeting.

Rebecca Green, Chair of the City Council and the Waterville Housing Committee, told the Board that this ordinance is patterned after the City of Sanford's regulations which have operated very successfully for several years. The ordinance is intended to make vacant housing units available for habitation and eliminate blight in neighborhoods. The fee set out in the draft ordinance is intended to encourage owners to work with the Code Enforcement Office to develop a plan to bring their vacant buildings back into use.

In Waterville, according to the Code Enforcement Office, there are approximately 77 vacant buildings containing as many as 100 empty dwelling units.

The Board discussed unintended consequences of the ordinance:

- The ordinance may discourage redevelopment by charging an escalating fee for leaving a building vacant.
- Some very large buildings, such as the Lockwood Mill buildings and Seton Unit, are extremely expensive to renovate, and it takes a considerable amount of time to obtain financing, materials, and labor.
- Homeowners may not be able to sell their homes and may have to move away while their homes sit vacant on the market.
- Some people in the City cannot afford to purchase homes that are ready for habitation and cannot afford to pay a fee while they save money to repair their vacant homes.

**Questions:**

- What sorts of properties and circumstances should be exempt from this ordinance?
- If the exterior of a building complies with the Property Maintenance Ordinance, does it matter that the building is empty? [The current housing shortage is a driving force for adopting an ordinance that encourages returning residential buildings to use.]
- Might the Property Maintenance Ordinance, which requires that vacant buildings be secured, be enforced and perhaps expanded?
- Is there a better way to address blight than adopting this ordinance as it currently is drafted? [The City should address blighted buildings but, perhaps, not vacant buildings.]

- Might the fee be reduced or capped to limit the multiplier effect? Fees will add up until some owners will walk away from their buildings. [Rebecca Green stated that the purpose of the escalating fee is to encourage owners to bring their buildings into service as soon as possible. Furthermore, the proposed City land bank will accept these properties for redevelopment.]
- Do we know how long these 77 vacant buildings have been vacant or why they remain vacant? [The longer they sit vacant the more likely they are to become blighted. Homeless people and animals become more apt to move in and damage the buildings. Some buildings are vacant because the owner has passed away and relatives of the deceased have no use for the building but do not want to let it go. Other properties are in foreclosure. Some have title issues that prevent their sale. Still other properties are vacant because their owners have no incentive to repair or sell them. Paula Raymond said that 20 of the vacant buildings are in the South End, and they have been vacant for a long time, bringing down the values of nearby properties.]
- Do we have a higher vacancy rate than other Maine towns?
- How do we incentivize redevelopment?
- Is zoning an issue?
- If an owner has an active building permit or the building is empty because he is removing asbestos or lead paint, for example, should his building fall under this ordinance?

Suggestions:

- Consider Brewer's vacant building ordinance among others.
- Increase the amount of time before fees are levied. Closings, foreclosures, and obtaining materials and manpower take time.